

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

RICHARD HAERTLEIN,

Plaintiff,

v.

No. CV 20-796 GBW/CG

AMERIFIELD, INC., et al.,

Defendants.

ORDER GRANTING IN PART PLAINTIFF'S MOTION TO COMPEL

THIS MATTER is before the Court on Plaintiff's *Amended First Motion to Compel Amerifield, Inc.* (the "Motion"), (Doc. 85), filed July 27, 2021; Defendant Amerifield's *Response to Plaintiff's Motion to Compel*, (Doc. 88), filed July 30, 2021; and Plaintiff's *Reply in Support of His Amended First Motion to Compel Amerifield, Inc.*, (Doc. 89), filed August 2, 2021. The Court, having considered the Motion, the parties' briefing, the law, and counsels' arguments at a telephonic hearing held on August 11, 2021, finds that the Motion shall be **GRANTED IN PART**.

IT IS THEREFORE ORDERED that Plaintiff's *Amended First Motion to Compel Amerifield, Inc.*, (Doc. 94), is **GRANTED IN PART** as follows:

1. Defendant Amerifield is **COMPELLED** to further supplement its discovery responses to Plaintiff by no later than **September 16, 2021**, and to produce any supplemental responsive documents, including any bills of lading, fuel receipts, invoices, tickets, load receipts, toll receipts, GPS files, trip files, scale tickets, delivery receipts, dispatch sheets, load logs/reports and driver's logs, if any, related to Defendant Assad Abbas's work for Defendant Amerifield;

2. Defendant Amerifield is **COMPELLED** to supplement its written discovery requests in compliance with the Federal Rules of Civil Procedure, including identifying its due diligence in attempting to locate documents; and
3. Plaintiff's and Defendant Amerifield's requests for attorney fees in connection with the briefing of the Motion are **DENIED**. The parties will each bear their own costs and fees associated with the Motion.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE

Submitted by:

FADDUOL, CLUFF, HARDY & CONAWAY, P.C.

/s/ Carlos E. Sedillo

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Approval as to form by:

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/s/ Approved via email on 8/16/21

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